IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICITON

INCOME TAX APPEAL (L) NO.2566 OF 2006

The Commissioner of Income Tax-3 .. Applicant.
Versus
M/s.Akshya Textiles Trading &
Agencies Pvt.Ltd. .. Respondent.

Mr.Vimal Gupta with Mr.A.S. Rao & Mr.P.S. Sahadevan for the applicant.

Mr.J.D. Mistry with Mr.Raj Darak for the respondent.

CORAM : F.I. REBELLO &
J.P. DEVADHAR, JJ.

DATED : 24TH OCTOBER, 2007.

P.C. :

1. Revenue has preferred this appeal on three questions of law.

2. Insofar as Questions B & C are concerned, the same are covered by the judgment of Supreme Court in the case of Apollo Tyres Ltd. V/s. C.I.T. [255 I.T.R. 273].

3. Insofar as Question C is concerned, the same is covered by the judgment of this Court in Income Tax Appeal No.607 of 2005 decided on 17-10-2007 (CIT V/s. M/s.Akshya Textiles Trading & Agencies Pvt.Ltd.)

4. Considering the above, the questions of law as framed would not arise and consequently the appeal is dismissed.

(J.P. DEVADHAR, J.) (F.I. REBELLO, J.)